

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**BOB'S TIRE CO., INC. AND B.J.'S SERVICE
COMPANY, INC. (A JOINT EMPLOYER)**

and

**Cases 01-CA-169949
01-CA-169956
01-CA-169959
01-CA-169968
01-CA-173156
01-CA-183476
01-CA-183482
01-CA-186451
01-CA-186462**

**UNITED FOOD AND COMMERCIAL WORKERS
INTERNATIONAL UNION, LOCAL 328**

ORDER

The Respondent's Motion to Dismiss the Complaint is denied.¹ The Respondent has failed to establish that the complaint allegations against it should be dismissed for failure to state a claim and that it is entitled to a judgment as a matter of law.

Dated, Washington, D.C., August 15, 2017

PHILIP A. MISCIMARRA,	CHAIRMAN
MARK GASTON PEARCE,	MEMBER
LAUREN McFERRAN,	MEMBER

¹ The Respondent's original motion was captioned as a Motion for a Bill of Particulars or, in the Alternative, Motion to Dismiss the Complaints. On May 8, 2017, Deputy Chief Administrative Law Judge Arthur J. Amchan granted in part the request for a bill of particulars and ordered the General Counsel to clarify certain aspects of the complaint. Accordingly, the motion for a bill of particulars is not before the Board.